

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Lysander Christoffels et al.

Application No.: 10/564,485

Confirmation No.: 9881

Filed: January 13, 2006

Art Unit: 4161

For: AQUEOUS POLYMER DISPERSION AND
USE THEREOF IN COSMETICS

Examiner: Tracey A. Simmons Willis

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed October 7, 2008, applicant hereby provisionally elects claims 1-16 for continued examination, with traverse.

The Examiner has required restriction between the following groups:

Group I - claims 1-16, drawn to a polymer dispersion;

Group II - claims 17-20, drawn to a cosmetic/pharmaceutical composition; or

Group III - claims 21-24, drawn to a use of the dispersion.

The Commissioner may require restriction if two or more independent and distinct inventions are claimed in a single application (37 CFR 1.142(a)). In the present case, although the claimed subject matter may be classified in different classes, the inventions are not

independent. A search of either set of claims will require the same search for the remaining claims.

If the Examiner is aware of another method to make the product as claimed, using a process which is materially different from that set forth in the restricted claims, applicant respectfully requests the Examiner to substantiate his position in greater detail. Otherwise, it is respectfully requested that the restriction requirement be withdrawn, and that each of claims 1-24 presently pending in this application be examined.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 13111-00029-US1 from which the undersigned is authorized to draw.

Dated: October 31, 2008

Respectfully submitted,

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